



STATE OF CALIFORNIA  
Department of Transportation

STATEMENT OF QUALIFICATION SUBMITTAL INSTRUCTIONS  
AND  
GENERAL CONTRACT PROCESS INFORMATION

**Note:** Address all questions concerning the Request for Qualifications in writing to the attention of the contract analyst named in the RFQ. Consultants contacting the District or Division directly seeking information about the RFQ may jeopardize the integrity of the selection process and risk possible disqualification.

**Read carefully as this document is revised as of 09/21/04.**

**I. REQUIREMENTS FOR STATEMENTS OF QUALIFICATIONS (SOQs)**

**A. SOQs must be in the following format:**

1. SOQs to be bound on 11" side - binding style to be determined by submitter.
2. Paper size to be 8-1/2" x 11" (except the organizational chart).
3. Font size used for all documents (except the organizational chart) to be a minimum of 8 point.

**B. SOQs are to be tabbed and labeled into four (4) Main Sections and shall contain the following information:**

**Section A.**

**TRANSMITTAL LETTERS/GOAL DOCUMENTATION**

- A. The prime consultant transmittal letter is limited to **three** (3) pages. Please list all subconsultants and provide the percentage (best estimate) of utilization for each firm. Please note consultants will be committed only to those percentages given for business enterprise attainment. An individual authorized to obligate the firm or joint venture must sign the prime's transmittal letter. The signatures affixed to and dated on the prime and subconsultant transmittal letters shall constitute a certification under penalty of perjury under the laws of the State of California that the proposer has, unless exempted, complied with State nondiscrimination program requirements (see Nondiscrimination under Section III Miscellaneous).
- B. Each subconsultant transmittal letter is limited to **one** (1) page. The subconsultant shall state its commitment to the prime consultant's firm, indicating the specific portion of the work to be performed by its firm. The person signing the transmittal letter must be authorized to obligate the subconsultant's firm.

- C. The prime consultant shall provide a contact name, email address, phone and fax numbers to which correspondence can be sent.
- D. Provide the following information for any former State of California, Department of Transportation employee(s) listed on the organizational chart by the prime and/or subconsultants;
- the individual's full name
  - separation date from the Department and
  - functional responsibility while with the Department (within the last 24 months of employment)

Further information concerning conflict of interest issues can be found in this document under Section III. - MISCELLANEOUS, paragraphs 8 and 9.

**For on-call construction inspection services only.**

- E. The prime consultant's signature affixed on the transmittal letter certifies that neither the prime consultant nor its subconsultants will engage in Construction Inspection services for the same project for which the prime consultant and/or subconsultant has performed Project Development or Project Construction Support services. List any former and/or current projects that would be directly related to the construction inspection services requested.
- F. The prime's authorized representative signature on the transmittal letter certifies that the information contained in the SOQ is truthful, accurate, and complete at time of submittal.
- G. Provide the following goal documentation: (See RFQ Notice for goal participation requirements)

A. Disadvantaged Business Enterprise Goals

1. Disadvantaged Business Enterprise (DBE) certification letter(s) issued by the certifying entity.
2. DBE Participation Forms - will consist of one or both of the following pursuant to the instructions in Bidder/Proposer DBE Information Instructions, ADM-0221F:
  - Proposer's DBE Information for A&E Contracts, ADM-0227F
  - Bidder/Proposer DBE Good Faith Effort Information, ADM-0312F

**OR**

B. Disabled Veteran Business Enterprise Goals

1. Disabled Veteran Business Enterprise (DVBE) certification letter(s) issued by the certifying entity.
2. DVBE Participation Package - will consist of one or both of the following pursuant to the revised instructions in California Disabled Veteran Business Enterprise Requirements, STD 840:
  - a) Option A – Commitment to DVBE Agreement Participation Requirement
  - b) Option B – Good Faith Effort Documentation
  - c) Small Business Participation Goal – Provide a Small Business Questionnaire, ADM2046 documenting the prime's utilization of small businesses.

## Section B.

**GENERAL SERVICES ADMINISTRATION STANDARD FORM SF330** – to be completed in accordance with the instructions provided with the form and shall conform to the following:

**PART ONE – CONTRACT-SPECIFIC QUALIFICATIONS** – Sections to be divided by colored sheets.

1. **Section A** – Contract Information
2. **Section B** – Architect-Engineer Point of Contact – prime information
3. **Section C** – Proposed Team – Complete for prime consultant and all key subconsultants. List prime team members first.
4. **Section D** - Organizational Chart: limited to one (1) page folded to 8-1/2" x 11", not to exceed 11" x 17".
5. **Section E** – Resumes of Proposed Key Personnel – List no more than five (5) projects per resume, not to exceed 2 pages.
6. **Section F** – Example Projects for Proposed Team's Qualifications for this contract: Limit your response to ten (10) projects, one (1) project per page.
7. **Section G** – Key Personnel Participation in Example Projects
8. **Section H** - Additional Information: Prime is limited to four (4) pages and each subconsultant to two (2) pages. Subconsultants who have not previously worked with the prime may include additional project examples in this section; however page limits still apply.

**PART TWO – GENERAL QUALIFICATIONS** – NOT REQUIRED.

INFORMATION FOR COMPLETING THE SF330 MAY BE DOWNLOADED FROM:

<http://www.gsa.gov/Portal/gsa/ep/formslibrary.do?formType=SF>

## Section C.

### WORK FORCE ANALYSIS CHART

Each firm (prime and subconsultant) with 50 or more employees must provide a Work Force Analysis (example below) showing the total number and percentage of employees working in California.

**DO NOT BREAK WORK FORCE ANALYSIS TABLE INTO TWO PARTS (KEEP ON ONE PAGE).**

### Work Force Analysis

	Caucasian		Black		Hispanic		Asian/ Pacific Islander		Native American/ Native Alaskan		Total Calif. Work Force	
	M	F	M	F	M	F	M	F	M	F	M	F
Executives/Managers												
Licensed Professional Engineers/Surveyors/ Architects												
Other Technical/ Professional												
Office/Clerical												
TOTAL												
PERCENT OF TOTAL												

### Section D.

#### Nondiscrimination Statement:

1. Contracts solicited by the State will be awarded without discrimination. To comply with State and Federal nondiscrimination program requirements, Prime or subconsultant firms with fifty (50) or more employees shall provide a description of the firm's nondiscrimination program designed to eliminate discrimination based on race, color, religion, age, sex, sexual orientation, disability, or national origin.
2. State nondiscrimination program requirements are found in Government Code Section 12990 and Title 2, California Code of Regulations, Division 4, Chapter 5, Sections 8103, 8104 and 8113 (unless exempted per Section 8115). For federally funded projects, nondiscrimination compliance requirements are found in Title VI of the Civil Rights Act of 1964, and the Code of Federal Regulations, 49 CFR Parts 21, 23, and 200.

## II. GOAL PARTICIPATION

**In accordance with the RFQ Notice, the following will apply:**

### A. DBE OR DVBE GOAL PARTICIPATION

1. Consultants must meet the DBE/DVBE goal or make a good faith effort to do so. The DBE/DVBE goal participation forms must accompany the consultant's SOQs. (Revised 8/15/02)
2. The following forms can be downloaded from <http://caltrans-opac.ca.gov/aeinfo.htm> or may be obtained by contacting the contract analyst named in the RFQ Notice:
  - Bidder/Proposer DBE Information Instructions, ADM-0221F

- Bidder/Proposer DBE Information for A&E Contracts, ADM-0227F
  - Bidder/Proposer DBE Good Faith Effort Information, ADM-0312F
  - Documentation of Disabled Veteran Business Enterprise Program Requirements, STD 840
3. When completing the **ADM-0227F** or the **STD 840** the anticipated goal percentage (%) for each DBE/DVBE firm listed must be inserted in the "Percentage of \$ Value Claimed" column and the total percentage inserted as indicated at the bottom of the column.
  4. Questions concerning DBE certification requirements and good faith effort documentation for DBE and DVBE, must be addressed to:

State of California  
Department of Transportation  
Division of Civil Rights  
1823 14<sup>th</sup> Street  
Sacramento, California 95814-7189

Or you may call (1-866) 810-6346, toll free. Information regarding DBE firms certified by the Department is available via the Internet at [www.dot.ca.gov/hq/bep](http://www.dot.ca.gov/hq/bep).

5. The Department of General Services, Office of Small Business Certification and Resources provides information on the Internet regarding how to become a certified DVBE firm and also lists all certified DVBE firms at the following Internet address:  
<http://www.pd.dgs.ca.gov/smbus>

## **B. SMALL BUSINESS PARTICIPATION GOAL**

Pursuant to Governor's Executive Order D-37-01, the Department may establish a small business participation goal for this contract. (see RFQ Notice). Consultants may provide, at time of award, the Small Business Questionnaire ADM 2046 form identifying all the certified small businesses to be utilized in meeting this goal. The form is available at <http://caltrans-opac.ca.gov/aeinfo.htm> or may be obtained by contacting the contract analyst named in the RFQ.

## **III. MISCELLANEOUS**

### **A. Modification or Withdrawal of Submittals**

Any SOQ received may be withdrawn or modified prior to the SOQ submittal date by written request to the Department by the prime consultant.

### **B. Property Rights**

SOQs received become the property of the State of California, Department of Transportation.

### **C. Confidentiality**

Before award of the contract, all SOQs will be designated confidential. After award of the contract all SOQs become public record. Contracts are considered awarded after they are fully executed by both parties and approved by the Department of General Services. Any language purporting to render any portion of the SOQ to be excluded from public review will be regarded as non-effective and will be disregarded.

### **D. Addendum to Request for Qualifications/Proposal**

The Department reserves the right to amend the RFQ Notice by addendum before the final SOQ submittal date.

### **E. Non-Commitment of the Department**

1. This RFQ does not commit the Department to award a contract, to pay any costs incurred in the preparation of an SOQ for this request, or to procure or contract for services.
2. All products used or developed in the execution of any contract resulting from this RFQ will remain in the public domain at the completion of the contract.

### **F. Americans with Disabilities Act**

The consultant shall assure the Department that it will comply with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA (42 U.S.C. 12101 et seq.).

### **G. Conflict of Interest Concerning Consultant(s)**

Prospective consultants shall disclose any financial, business or other relationship with the State of California, especially the Department of Transportation, or the California Transportation Commission, that may have an impact upon the outcome of this contract. Prospective consultants shall also list current clients who may have a financial interest in the outcome of this contract.

### **H. Conflict of Interest Concerning Former State of California, Department of Transportation Employees**

1. Public Contract Code Section 10411(a) prohibits a former employee from entering into a contract in which he or she engaged in any of the negotiations, transactions, planning arrangements or any part of the decision making process relevant to the contract while employed in any capacity by any State agency. This prohibition applies during the 2 year period beginning on the date the person left State employment.
2. Public Contract Code Section 10411(b) prohibits a former State officer or employee from entering into a contract with any State agency if,
  - He or she was employed by the same State agency in a policy-making position in the same subject area (s) as the proposed contract within the 12 month period prior to his or her separation.
3. Representation includes any formal or informal appearance, or oral or written communication to the Department or to any of its officers or employees. This would include participation at presentations or interviews, attendance at scoping meetings, participation in negotiations and direct involvement in cost proposal and audit activities. See Government Code Section 87406 subparagraph(d) subpart(1).

4. The categories of former Department employees to whom the prohibition applies are any one or more of the following:
  - a) A "Designated employee" as defined in Government Code Section 82019, to include any officer or employee whose position with the department:
    - i) was exempt from the State Civil Service System.
    - ii) is designated in a Conflict of Interest Code (See Public Contract Code Section 10411 subparagraph a. and b.) because the position entails the making or participation in the making of decisions, which may foreseeably have a material effect on any financial interest.
    - iii) involved the employee in the functions of:
      - negotiating or signing any competitively awarded contract.
      - making decisions in conjunction with the competitive award process.
      - making decisions on Emergency Force Account contracts awarded under Public Contract Code Section 10122.
5. Former Department employees, including former retired annuitants, proposed in the SOQ who meet the criteria above will not be allowed to participate in the selection, negotiation and award process of this contract.
6. Violation by consultant(s) of any provisions of above paragraphs, in accordance with PCC 10420, shall render every contract or other transaction entered into void unless the violation is technical or non-substantive.

Information regarding conflict of interest as stated in Government Code and Public Contract Code Sections may be viewed by visiting the web site: <http://www.leginfo.ca.gov/calaw.html>.

#### **I. References**

The Department reserves the right to check references not only for those stated in the SOQ but also references from the Department's consultant evaluation reports. Reference information provided in the SOQ found to be in error may be reflected as a reduction in your evaluation score.

### **IV. GENERAL CONTRACT PROCESS INFORMATION**

#### **A. CONSULTANT SELECTION AND CONTRACT NEGOTIATIONS**

1. The consultants will be selected by means of a dual selection process (evaluation of SOQs followed by an interview of those short-listed).
2. The criteria in ADM 2027 is the basis for the initial evaluation, scoring and ranking of consultant's SOQs to establish a short-list of firms to be interviewed. The ADM 2027 is available at: <http://caltrans-opac.ca.gov/aeinfo.htm> or may be obtained by contacting the contract analyst named in the RFQ Notice.
3. Those consultants evaluated by a selection committee, and judged to be the best qualified to undertake the services, based upon the combined scores and ranking of the SOQs, will be interviewed and again scored and ranked by the selection committee.

The criteria in ADM 2028 is the basis for the evaluation, scoring and ranking of consultants interviewed. The ADM 2028 is available at: <http://caltrans-opac.ca.gov/aeinfo.htm> or may be obtained by contacting the contract analyst named in the RFQ Notice.

4. The contract will be negotiated pursuant to Section 4528 of the California Government Code. A contract with fixed rates of compensation for specific persons and classifications will be negotiated with the top-ranked consultant in accordance with Government Code Section 4528. If agreement cannot be reached with the top ranked consultant, negotiations will be terminated and negotiations started with the next-ranked consultant for the contract. For project-specific contracts, the Department reserves the right to negotiate a firm-fixed-price contract or a combination of specific rates of compensation for a specific phase of the project and firm-fixed-price for another phase. The Department also reserves the right to entertain firm-fixed-price task orders or fixed rates of compensation, an actual plus direct costs, for an on-call contract when the Department's contract manager deems appropriate. Firm-fixed-price task orders may be negotiated for work resulting from this solicitation.
5. If the consultant is a corporation, the consultant must certify that the corporation is in good standing to do business in California. Pursuant to Revenue and Taxation Code 23101, "Doing business" means actively engaging in any transaction for the purpose of financial or pecuniary gain or profit."
6. If the consultant is selected for the contract and found to have an invalid corporate status with the California Secretary of State's Office, the contract will be voided unless the consultant can provide validity of corporate status within five (5) working days of notification of intent to cancel.
7. The consultant finally selected must comply with Government Code Section 8355 in matters relating to providing a drug-free work place.
8. All work shall be done in accordance with State standards, policies, procedures, regulations and laws.
9. A sealed cost proposal will be required of each short-listed consultant to be interviewed for any on-call contract. All the necessary forms and instructions will be provided to the short-listed consultants with the interview notification correspondence. Only the cost proposal of the proposed awardee will be opened. All unopened cost proposals will be returned at the conclusion of the award process.
10. A cost proposal will not be requested if the contract is a project-specific contract until after a consultant is interviewed and selected.

## **B. AUDIT REQUIREMENT**

### **Post-award Audit**

1. A post-award audit will be performed after the contract is fully executed. The post-award audit will be conducted in accordance with generally accepted government auditing standards as promulgated by the United States General Accounting Office.
2. The consultant awarded the contract agrees that any audit recommendations regarding contract amount, the consultant's cost proposal or individual items of cost, at the Department's sole discretion, may be incorporated into the contract.
3. The rates included in the consultant's cost proposal, after the post-award audit recommendations are incorporated, shall remain in effect for the duration of the contract.



4. Refusal by the consultant to concur with the adjusted rates recommended in the post-award audit finding may result in contract termination.
5. The scope of the audit will consist of such tests as the auditors consider necessary to assure that the consultant satisfactorily meets the requirements outlined in items a-c below prior to execution of the contract.
  - a. At the time of the post-award audit, the prospective consultant must demonstrate through actual historical data that its accounting system is capable of accumulating and segregating reasonable, allowable and allocable costs. For new businesses, if actual historical data is unavailable or the accounting system is newly implemented, the system will be tested to determine whether the accounting system is adequate and, if necessary, recommend that an interim audit be performed. At a minimum, the consultant must have an accounting system that meets the following objectives:
    - The ability to record and report financial data in accordance with generally accepted accounting principles and the Code of Federal Regulations, Title 48, Federal Acquisition Regulations System (FAR), Chapter 1, Part 31.
    - The ability to accumulate and segregate reasonable, allowable and allocable costs through the use of a cost accounting system.
    - A system of record keeping to ensure the costs billed to the Department will be supported by adequate documentation and will be in compliance with the terms of the contract and applicable Federal and State regulations.
    - Procedures to retain accounting records and source documentation as required by the terms of the contract.
    - A system of internal control that provides reasonable assurance that assets are protected; financial data, records and statements are reliable, and errors and irregularities are promptly discovered, reported and corrected.
  - b. The prospective consultant must be financially capable of performing the work.
  - c. The costs proposed must be reasonable.

Additional information regarding the Accounting and Audit guidelines for contracts with the Department is available on the Internet at: <http://caltrans-opac.ca.gov/aeinfo.htm>.

#### **C. Notification of Award**

All consultants that participate in this process will be notified of the final selection.

#### **D. Business License**

Consultant firms are not required to obtain a business license until the time of contract signing.